

Bryan W. Shaw, Ph.D., *Chairman*  
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## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

January 14, 2014

**CERTIFIED MAIL NO: 91 7199 9991 7032 8273 2507**  
**RETURN RECEIPT REQUESTED**

Mr. Scott R. Halty, Director of Resource Protection and Compliance  
San Antonio Water System  
PO Box 2449  
San Antonio, Texas 78298-2449

Re: Notice of Enforcement for Major Reconnaissance Investigation at:  
San Antonio Water Systems collection line located near 3400 Salado Creek Drive, San Antonio, Texas, Bexar County  
Regulated Entity No.100851518, TCEQ ID No.: WQ0010137008 , EPA ID No.: TX0052647

Dear Mr. Halty:

On November 6-15, 2013, Chris Dziuk of the Texas Commission on Environmental Quality (TCEQ) San Antonio Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for wastewater treatment collection systems. During this investigation, a certain outstanding alleged violation was documented. Enclosed is a summary which lists the investigation findings and recommended corrective actions. Additional recommended corrective actions may be provided by the Enforcement Division.

In the listing of the alleged violation, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the San Antonio Region Office at (210) 490-3096 or the Central Office Publications Ordering Team at 512-239-0028. Copies of applicable federal regulations may be obtained by calling Environmental Protection Agency's Publications at 800-490-9198.

Also, please be advised that the Legislature has granted enforcement powers to the TCEQ to carry out its mission to protect human health and the environment. Due to the apparent seriousness of the alleged violation, formal enforcement action has been initiated, and additional violations may be cited upon further review. We encourage you to immediately begin taking actions to address the outstanding alleged violation.

**In responding with prompt corrective action, the administrative penalty to be assessed may be limited.**

Mr. Scott Halty  
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The Commission recognizes that the great majority of the regulated community wants to prevent pollution and to comply with environmental laws. We dedicate considerable resources toward making voluntary compliance achievable. But where compliance has not been met it is our duty to protect the public and the environment by enforcing the state's environmental laws, regulations, and permits.

Also, if you believe the violation documented in this notice has been cited in error, **and** you have additional information that we are unaware of, you may request a meeting to discuss this enforcement matter. To request a meeting, send a letter describing the additional information to the address shown below.

Manager, Water Section  
Enforcement Division, MC 219  
Re: Enforcement Meeting Request  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

If you or members of your staff have any questions, please feel free to contact Mr. Chris Dziuk in the San Antonio Region Office at (210) 403-4027.

Sincerely,



Joy Thurston-Cook, Water Program Team Leader  
San Antonio Region Office  
Texas Commission on Environmental Quality

JTC/CD/eg

Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

**SALADO CREEK WATER RECYCLING**

**13496 BLUE WING RD**

**SAN ANTONIO, BEXAR COUNTY, TX 78223**

**Investigation #**

**1139626**

**Investigation Date: 11/06/2013**

**Additional ID(s): TX0052647**

**WQ0010137008**

### OUTSTANDING ALLEGED VIOLATION(S) ASSOCIATED TO A NOTICE OF ENFORCEMENT

**Track No: 523220**

**Compliance Due Date: To Be Determined**

**30 TAC Chapter 305.125**

**TWC Chapter 26.121**

**PERMIT WQ0010137008, Permit Conditions 2(g)**

Failure to prevent the unauthorized discharge of wastewater from the San Antonio Water System Salado Creek Water Recycling Center sewer collection system located near 3400 Salado Creek Drive.

**Alleged Violation:**

**Investigation: 1139626**

**Comment Date: 12/27/2013**

Failure to prevent the unauthorized discharge of wastewater from the San Antonio Water System Salado Creek Water Recycling Center sewer collection system located near 3400 Salado Creek Drive in San Antonio, Texas. The unauthorized discharge which occurred on November 6, 2013 resulted in a fish kill in the Salado Creek downstream of the discharge location.

**Recommended Corrective Action:** The Regulated Entity shall immediately cease the unauthorized discharge and take the necessary actions to prevent future unauthorized discharges from occurring.



Attention: Chris Dziuk

| TCEQ EXIT INTERVIEW FORM: Potential Violations and/or Records Request |  |                             |   |                                       |                         |
|---|--|-----------------------------|---|---------------------------------------|-------------------------|
| Regulated Entity/Site Name  | San Antonio Water System Salado Creek WRC      |                             |   | TCEQ Add. ID No.<br>RN No. (optional) | WQ10137-008 RN100851518 |
| Investigation Type  | Rec  | Contact Made In-House (Y/N) | Y | Purpose of Investigation              | Sanitary Sewer Overflow |
| Regulated Entity Contact  | Scott R. Halty                                 |                             |   | Telephone No.                         | (210) 233-3536          |
|   | Director of Resource Protection and Compliance |                             |   | FAX #/Email address                   | Scott.Halty@saws.org    |
|   |  |                             |   | Date Contacted                        | 01/07/2014              |
|   |  |                             |   | FAX/Email date                        | 01/07/2014              |

**NOTICE:** The information provided in this form is intended to provide clarity to issues that have arisen during the investigation process between the TCEQ and the regulated entity named above and *does not represent final TCEQ findings related to violations*. Any potential or alleged violations discovered after the date on this form will be communicated to the regulated entity representative prior to the issuance of a notice of violation or enforcement. Conclusions drawn from this investigation, including additional violations or potential violations discovered (if any) during the course of this investigation, will be documented in a final investigation report.

| Issue |      | For Records Request, identify the necessary records, the company contact and date due to the agency. For Alleged and Potential Violation issues, include the rule in question with the clearly described potential problem. Other type of issues, fully describe. |   |
|-------|------|---|---|
| No.   | Type | Rule Citation (if known)  | Description of Issue  |
| 1     | AV   | 30 TAC 305.125 Permit Conditions 2 (g) Texas Water Code 26.121  | Unauthorized discharge of wastewater from the SAWS Salado Creek WRC collection system on November 6, 2013 located near 3400 Salado Creek Drive in San Antonio, Texas. The unauthorized discharge resulted in a fish kill in the Salado Creek. |
|       |      |   |   |
|       |      |   |   |
|       |      |   |   |

**TCEQ-R13**  
JAN - 8 2014  
SAN ANTONIO

**Note 1:** Issue Type Can Be One or More of: AV (Alleged Violation), PV (Potential Violation), O (Other), or RR (Records Request)

|   |                              |  |
|---|------------------------------|--|
| Did the TCEQ document the regulated entity named above operating without proper authorization?              | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Did the investigator advise the regulated entity representative that continued operation is not authorized? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

| Document Acknowledgment. Signature on this document establishes only that the regulated entity (RE) representative received a copy of this document and associated continuation pages on the date noted. If contact was made by telephone, the document will be sent via FAX or Email to RE; therefore, the RE signature is not required. |          |   |          |
|---|----------|---|----------|
| Christopher Dziuk   | 01/07/14 | Scott R. Halty  | 01/08/14 |
| Investigator Name (Signed & Printed)  | Date     | Regulated Entity Representative Name (Signed & Printed) | Date     |

If you have questions about any information on this form, please contact your local TCEQ Regional Office.

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, call 512/239-5282.

White Copy: Regulated Entity Representative  
TCEQ 20085 (4/08)

Yellow Copy: TCEQ

(Note: use additional pages as necessary) Page 1 of 1

## NOTICE OF SPILL FROM A WASTEWATER FACILITY

A spill from a wastewater treatment or collection facility has occurred.

### INFORMATION ABOUT THE SPILL

Facility Name: Salado Creek Water Recycling Center – 10137-008

Contact for further information: Anne Hayden – 210-233-3622

Location of the spill: 66-inch Sewer Main at Nacogdoches and Salado Cliffs Drive

Estimated time and date of spill: 7:45am; Wednesday, November 6, 2013

Estimated volume of the spill (number of gallons): Spill estimated > 100,000 gallons

Type of spill: (domestic) (industrial) (other) Explain other: Domestic wastewater

Area potentially affected: Salado Creek

Suspected cause of spill: Blockage caused by debris

### THE FOLLOWING ACTIONS HAVE BEEN TAKEN:

- ☒ Appropriate local governmental officials have been notified.
- ☒ TCEQ regional office has been notified.
- ☒ The spill has been contained.
- ☐ Increased monitoring of water supply systems has been initiated.
- ☒ The cause of the spill has been corrected.
- ☒ Clean-up activities are underway/completed.
- ☐ Other: \_\_\_\_\_

### PERSONS MAY WISH TO TAKE THE FOLLOWING PERSONAL PRECAUTIONS

- ☐ Use only water that has been distilled or boiled at a rolling boil for at least one minute for all personal uses including drinking, cooking, bathing and tooth brushing
- ☒ Don't swim in affected area streams, ponds or lakes.
- ☒ Always wash hands thoroughly before preparing or eating food.
- ☒ Always wash hands thoroughly after any contact with animals, soil or diapers.
- ☒ Private well owners may wish to treat their well water, have their well water tested and inspect their wells for proper siting, construction and maintenance.